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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA**

In re:)	Case No.: 22-14422-NMC
)	
MUSCLEPHARM CORPORATION,)	Chapter 11
)	
)	
Debtor.)	Hearing Date: January 24, 2023
)	Hearing Time: 9:30 a.m. (PT)
)	

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR JANUARY
24, 2023, AT 9:30 AM (PT) TO CONSIDER MATTERS LISTED HEREIN**

MusclePharm Corporation, the debtor and debtor-in-possession in the above-referenced Chapter 11 case (the “**Debtor**”) hereby files this proposed agenda of the matters scheduled for hearing on January 24, 2023, at 9:30 a.m. (PT).

Telephonic Only Hearing:

Pursuant to Administrative Order 2020-14 issued by the Court in response to the coronavirus disease 2019 (“COVID-19”), the hearing will only be held telephonically. Any parties wishing to participate in the hearing must dial Telephone Conference Number **(669) 254-5252**, enter the Meeting ID **161 166 2815** and the Hearing Access Code **115788**. For Court hearing participation information, please see the Court’s website at: <https://www.nvb.uscourts.gov/calendars/court-calendars/>.

I. Uncontested Matters

There are no uncontested matters.

II. Contested Matters

1. *Motion for an Order Granting the Employment and Retention of Portage Partners, LLC as Restructuring Advisors and Jeffrey Gasbarra as Chief Restructuring Officer*

[ECF No. 41] filed on January 3, 2023.

Objection Deadline: January 17, 2023.

Reply Deadline: January 20, 2023.

Responses/Replies Filed:

- i. *Stipulation by U.S. Trustee and between Debtor to Revise Briefing Schedule [ECF No. 118]*, filed on January 17, 2023. *Stipulated/Agreed Order [ECF No. 121]* filed on January 17, 2023
- ii. *U.S. Trustees Opposition and Reservation of Rights [ECF No. 128]*, filed on January 19, 2023.
- iii. *Debtor's Omnibus Reply to United States Trustee's Omnibus Opposition and Reservation of Rights to Debtor's Second Day Motions [ECF No. 135]* filed on January 20, 2023

Related Documents:

- i. *Notice of Hearings [ECF No. 85]*, filed on January 10, 2023.
- ii. *Declaration Of: Jeffrey Gasbarra in Support of Debtor's Application for Entry of an Order Under 11 U.S.C. §§ 327(a), 328, 330, and 331 and Fed. R. Bankr. P. 2014 and 2016 Authorizing the Employment and Retention of Portage Point Partners, LLC as Restructuring Advisors for the Debtor [ECF No. 42]*
- iii. *Ex Parte Motion for Order Shortening Time to Hear the Application for Entry of an Order Under 11 U.S.C. §§ 327(a), 328, 330, and 331 and Fed. R. Bankr. P. 2014 and 2016 Authorizing the Employment and Retention of Portage Point Partners, LLC as Restructuring Advisors for the Debtor with Proposed Order [ECF No. 71]*
- iv. *Order Granting Motion for Order Shortening Time [ECF No. 82]*

Status: This matter will go forward contested.

2. *Debtor's Motion for Administrative Order, Pursuant to 11 U.S.C. §§ 105(a), 330, 331, 1107, and 1108, and Bankruptcy Rule 2016(a), Establishing Procedures for Interim Monthly Compensation and Reimbursement of Expenses of Professionals [ECF No. 23]*, filed on December 27, 2022.

Objection Deadline: January 10, 2023.

Reply Deadline: January 17, 2023.

Responses/Replies Filed¹:

- i. *United States Trustees Omnibus Opposition and Reservation of Rights to Debtors Second Day Motions [ECF No. 114]*, filed on January 13, 2023.
- ii. *Debtor's Omnibus Reply to United States Trustee's Omnibus Opposition and Reservation of Rights to Debtor's Second Day Motions [ECF No. 135]*, filed on January 20, 2023.
- iii. *Limited Opposition Filed by Matthew C. Zirzow on behalf of Official Committee of Unsecured Creditors [ECF No. 122]* filed on January 17, 2023.
- iv. *Limited Opposition (Amended) filed by Matthew C. Zirzow on behalf of Official Committee of Unsecured Creditors [ECF No. 123]* filed on January 17, 2023.

Related Documents:

- i. *Declaration Of: Samuel A. Schwartz, Esq. in Support of Debtor's Motion for Administrative Order, Pursuant to 11 U.S.C. §§ 105(a), 330, 331, 1107, and 1108, and Bankruptcy Rule 2016(a), Establishing Procedures for Interim Monthly Compensation and Reimbursement of Expenses of Professionals [ECF No. 24]* filed on December 27, 2022.
- ii. *Notice of Hearing [ECF No. 25]* filed on December 27, 2022.

Status: This matter will go forward contested.

3. *Application to Employ Schwartz Law, PLLC as Attorneys Application for the Entry of an Order Under 11 U.S.C. §§ 327(a), 328, 329, and 331 and Fed. R. Bankr. P. 2014 and 2016 Authorizing the Employment and Retention of Schwartz Law, PLLC as Attorneys for the Debtor-in-Possession. [ECF No. 10]*, filed on December 22, 2022.

Objection Deadline: January 10, 2023.

Reply Deadline: January 17, 2023.

Responses/Replies Filed²:

- i. *The United States Trustees Omnibus Opposition and Reservation of Rights to Debtors Second Day Motions [ECF No. 114]*, filed on January 13, 2023.
- ii. *Debtor's Omnibus Reply to United States Trustee's Omnibus Opposition and*

¹ Per agreement of the parties at the January 6, 2023, DIP motion hearing the objection and reply deadlines on this matter were to be moved and objection/reply deemed to be timely.

² Per agreement of the parties at the January 6, 2023, DIP motion hearing the objection and reply deadlines on this matter were to be moved and objection/reply deemed to be timely.

Reservation of Rights to Debtor's Second Day Motions [ECF No. 135], filed on January 20, 2023.

Related Documents:

- i. *Declaration Of: Samuel A. Schwartz, Esq. in Support of Application for the Entry of an Order Under 11 U.S.C. §§ 327(a), 328, 329, and 331 and Fed. R. Bankr. P. 2014 and 2016 Authorizing the Employment and Retention of Schwartz Law, PLLC as Attorneys for the Debtor-in-Possession [ECF No. 11], filed on December 22, 2022.*
- ii. *Notice of Hearing on Application for the Entry of an Order Under 11 U.S.C. §§ 327(a), 328, 329, and 331 and Fed. R. Bankr. P. 2014 and 2016 Authorizing the Employment and Retention of Schwartz Law, PLLC as Attorneys for the Debtor-in-Possession [ECF No. 12], filed on December 22, 2022.*

Status: This matter will go forward contested.

4. *Application to Employ Stretto as Claims, Noticing, and Solicitation Agent Application for Entry of an Order Authorizing Debtor to Employ and Retain Stretto as Claims, Noticing, and Solicitation Agent [ECF No. 21], filed on December 27, 2022.*

Objection Deadline: January 10, 2023.

Reply Deadline: January 17, 2023.

Responses/Replies Filed³:

- i. *The United States Trustees Omnibus Opposition and Reservation of Rights to Debtors Second Day Motions [ECF No. 114], filed on January 13, 2023.*
- ii. *Debtor's Omnibus Reply to United States Trustee's Omnibus Opposition and Reservation of Rights to Debtor's Second Day Motions [ECF No. 135], filed on January 20, 2023.*

Related Documents:

- i. *Notice of Hearing on Application for Entry of an Order Authorizing Debtor to Employ and Retain Stretto as Claims, Noticing, and Solicitation Agent Hearing Date: 01/24/2023 Hearing Time: 9:30 AM PST [ECF No. 22], filed on December 27, 2022.*

³ Per agreement of the parties at the January 6, 2023, DIP motion hearing the objection and reply deadlines on this matter were to be moved and objection/reply deemed to be timely.

- 1 ii. *Declaration Of: Sheryl Betance in Support of Debtor's Application for Entry of*
2 *an Order Authorizing Debtor to Employ and Retain Stretto as Claims, Noticing,*
3 *and Solicitation Agent [ECF No. 29], filed on December 28, 2022.*

4 Status: This matter will go forward contested.

- 5 5. *Motion to Extend Deadline to File Schedules or Provide Required Information Motion*
6 *for an Order Granting the Debtor Additional Time Within Which to File Schedules and*
7 *Statements with Proposed Order [ECF No. 19], filed on December 27, 2022.*

8 Objection Deadline: January 10, 2022.

9 Reply Deadline: January 17, 2022.

10 Responses/Replies Filed⁴:

- 11 i. *The United States Trustees Omnibus Opposition and Reservation of Rights to*
12 *Debtors Second Day Motions [ECF No. 114], filed on January 13, 2023.*
13 ii. *Debtor's Omnibus Reply to United States Trustee's Omnibus Opposition and*
14 *Reservation of Rights to Debtor's Second Day Motions [ECF No. 135], filed on*
15 *January 20, 2023.*

16 Related Documents:

- 17 i. *Notice of Hearing on Motion for an Order Granting the Debtor Additional Time*
18 *Within Which to File Schedules and Statements [ECF No. 20], filed on*
19 *December 27, 2022.*

20 Status: This matter will go forward contested.

21 Dated: January 23, 2023

22 SCHWARTZ LAW, PLLC

23 By: /s/ Samuel A. Schwartz
24 Samuel A. Schwartz, Esq.
25 Bryan A. Lindsey, Esq.
26 601 East Bridger Avenue
27 Las Vegas, Nevada 89101

28 *Proposed Attorneys for the Debtors*

⁴ Per agreement of the parties at the January 6, 2023, DIP motion hearing the objection and reply deadlines on this matter were to be moved and objection/reply deemed to be timely.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent electronically via the Court's CM/ECF System on January 23, 2023, to the following parties registered to receive electronic notice regarding the case:

OGONNA M. BROWN on behalf of Creditor Prestige Capital Corporation
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OGONNA M. BROWN on behalf of Creditor Prestige Capital Finance, LLC
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CHAPTER 11 - LV
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JOHN D. FIERO on behalf of Creditor Committee OFFICIAL COMMITTEE OF UNSECURED CREDITORS
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BART K. LARSEN on behalf of Creditor White Winston Select Asset Funds, LLC
BLARSEN@SHEA.LAW, 3542839420@filings.docketbird.com

BRYAN A. LINDSEY on behalf of Debtor MUSCLEPHARM CORPORATION
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WILLIAM M. NOALL on behalf of Creditor EMPERY ASSET MANAGEMENT, LP
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JASON H. ROSELL on behalf of Creditor Committee OFFICIAL COMMITTEE OF UNSECURED CREDITORS
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3 MARK M. WEISENMILLER on behalf of Interested Party EMPERY TAX EFFICIENT, LP
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9 MATTHEW C. ZIRZOW on behalf of Attorney JOHN D. FIERO
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13 MATTHEW C. ZIRZOW on behalf of Creditor Committee OFFICIAL COMMITTEE OF
14 UNSECURED CREDITORS
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/s/ Christina Grill
Christina Grill, an employee of
SCHWARTZ LAW, PLLC